

**TOWN OF MILLIKEN  
BOARD OF TRUSTEES  
MILLIKEN MEETING HOUSE, 1201 BROAD STREET**

**MEETING MINUTES**

**Wednesday, August 27, 2014 – 7:00 P.M.**

**Call to Order**

The Town of Milliken Board of Trustees convened a regular session on Wednesday, August 27, 2014 at 7:00 p.m. Those present: Mayor Milt Tokunaga, Mayor Pro Tem Linda Measner; Trustees: Linda Beck, LeRon Ehrlich, Jordan Jemiola, Ken Kidd and Lois Ann Onorato. Also present: Interim Town Administrator Cheryl Powell, Treasurer & Accounting/Finance Director Patrick Murphy, Community Engagement Specialist/Planner Seth Hyberger, Administrative Assistant Gale Amaya, Public Works Director Jason Fowler, Parks and Outdoors Director Josh Roseberry and Town Attorney Bruce Fickel.

**Pledge of Allegiance**

Mayor Tokunaga called the meeting to order.

**Roll Call**

Trustee's: Ehrlich, Onorato, Jemiola, Mayor Pro Tem Measner, Mayor Tokunaga, Trustee Beck and Trustee Kidd.

**Agenda Approval**

Staff requested to add the Swearing-In of the Planning Commissioner and an item on the Informational Agenda.

Trustee Jemiola requested that the acknowledgement of the draft change on the Financial Policies be added to the Assignment and Project Update portion of the Agenda.

**Appointment and Swearing-in of New Planning Commissioner**

Mr. Mitchell Portella was sworn in as a Planning Commissioner by Interim Town Administrator/Town Clerk Powell.

**Citizen Comments**

There were none.

### **Minutes of Previous Meeting**

- August 13, 2014 – Approved with corrections

### **Acknowledgement of the Paid List of Bills**

#### August 2014 List of Bills

Trustee Kidd had a question regarding the refund of a landscape deposit to H.J. Bell Construction. Finance Director Murphy responded that it is a deposit for landscaping. The deposit is required in order to obtain a Temporary Certificate of Occupancy on a property. Once the landscaping has been complete, the deposit is refunded.

Trustee Kidd asked about the payment to Lighten Up Electric and Plumbing, LLC for electrical work performed for the Town, and that there is also a payment to Merit Electric for work performed. Director Fowler explained that the Town utilizes Merit Electric for the Town owned street lights, since they are most familiar with the lights. Lighten Up Electric and Plumbing has been utilized for other maintenance and repair, such as the water heater at the Town shop, dog and skate park water fountains, and electrical work at Lola Park. Director Fowler also explained that a Request for Proposal (RFP) was issued in 2013 and no bids had been received.

Trustee Kidd asked about the Town's generator repair and maintenance. Director Fowler explained that the Town has a contract with Rocky Mountain Power Generation to conduct annual maintenance and inspections on the Town's Generators. Trustee Kidd also inquired about the \$10,000 Housing Needs Assessment payment and if this is the final payment. Director Murphy responded that this was the final payment for the \$20,000 assessment. Trustee Kidd also inquired about the bill to Longs Peak landscape for work performed at Lola Park. Director Murphy responded that was work performed on the drainage ditch at Lola Park and was paid for by FEMA.

Trustee Onorato inquired about the payment to Hensley Battery & Electrics for the purchase of a truck battery, and why the Town didn't purchase the battery locally. Director Fowler responded that the batteries are less expensive from Hensley, but they will contact NAPA for future battery purchases.

## **CONSENT AGENDA**

- 1. Consideration and Approval of a Renewal of a Hotel and Restaurant Liquor License for El Mex-Kal Family Mexican Restaurant**

Laura Rangel of El Mex-Kal Family Mexican Restaurant has submitted the Renewal Application and paid the required fees to renew the Hotel and Restaurant License for the Period of August 26, 2014 until August 26, 2015.

**2. Consideration and Approval of a Contract with Escape Landscapes for the Heritage House Irrigation and Landscaping**

The Town desires to engage the services of Escape Landscapes to install the landscaping and irrigation at the Heritage House property.

Trustee Jemiola moved to approve the Consent Agenda. Mayor Pro Tem Measner seconded.

Discussion: None

Vote: All in favor, none opposed

**ACTION AGENDA**

**1. Consideration and Approval of Resolution 14-28, to Authorize Applying for a Hazard Mitigation Program Grant (HMGP)**

Community Engagement Specialist Seth Hyberger asked the Town Board to consider for approval Resolution 14-28, to authorize the submittal of a grant application for a HMGP Property Acquisition/Infrastructure Project.

Hyberger explained that the Town of Milliken is applying for a FEMA Hazard Mitigation Program Grant Two-Phased project for a property acquisition/drainage infrastructure improvements project that will lessen and mitigate against the effects of future flooding in North Central Milliken.

Trustee Beck moved to approve Resolution 14-28, authorizing the submittal of an FEMA Hazard Mitigation Grant Program Application to apply for funding a Property Acquisition/Infrastructure Project in North Central Milliken. Trustee Onorato seconded

Discussion: None

Vote: All in favor, none opposed.

**2. Consideration and Approval of a FEMA Hazard Mitigation Program (HMGP) Local Cost Share Letter**

Community Engagement Specialist Seth Hyberger asked the Town Board to consider for approval a Local Cost Share Letter that is required for applying for FEMA HMGP funding as established by the State and FEMA.

Hyberger explained that the Town of Milliken is applying for a FEMA Hazard Mitigation Program Grant Two-Phased project for a property acquisition/drainage infrastructure improvements project that will lessen and mitigate against the effects of future flooding in North Central Milliken. The cost of the project is \$3,500,000. As a part of the application process the Town is required to submit a local cash match letter for its 12.5% local share of the project. The local cost share is \$437,500 for the project, the state share is \$437,500, and the federal share of the project is \$2,625,000.

Hyberger also explained that the Town is applying for a CDBG-DR grant to cover the Town's 12.5% local share in the amount of \$437,500. The intention is to receive 100% funding for the project.

Mayor Pro Tem Measner moved to approve the Town to sign the Local Cost Share Letter as a requirement for applying for FEMA HMGP funding as established by the State and FEMA. Trustee Onorato seconded

Discussion: None

Vote: All in favor, none opposed.

**3. Consideration and Approval of a "Statement of Intent to Participate" as a Participating Jurisdiction in the Weld County Multi-Jurisdictional Hazard Mitigation Plan Update**

Community Engagement Specialist Seth Hyberger asked the Town Board to authorize the Mayor to sign a letter indicating Milliken's approval to participate in the Weld County Multi-Jurisdictional Hazard Mitigation Plan Update. Participation and the adoption of the FEMA approved Plan will enable the community to be eligible to apply for HMGP funding for the next five (5) years.

Trustee Beck moved to approve the Town's local participation in the Weld County Multi-Jurisdictional Hazard Mitigation Plan Update. Participation and the adoption of the FEMA approved Plan will enable the community to be eligible to apply for HMGP funding for the next five years. Mayor Pro Tem Measner seconded.

Discussion: None

Vote: All in favor, none opposed.

#### **4. Consideration and Approval of a Contract with Tetra Tech to Retain the Services of Anne Johnson for Land Use Planning Services**

Interim Town Administrator Powell asked the Town Board To review and consider for approval the contract with Tetra Tech for the purpose of retaining Anne Johnson, for one (1) day per week, for Land Use Planning Services, until the Town obtains a Town Planner to provide these services. Powell explained that this contract is for up to ten (10) weeks and would help provide consistency with these new developments and to not delay the progress.

Discussion among the Board was whether to hire a Planning Firm to fill the position until a permanent replacement could be found or whether to retain the services of Tetra Tech to provide the continuity for the Town's current land use cases with Anne Johnson.

Tim Woodcock who is the Chairman of the Planning Commission spoke to the Town Board and indicated the services of Anne Johnson are needed more than once a week, but due to her efficiency she will be able to keep the current Land Use cases moving forward. He also indicated the Planning Commission is in the process of reviewing Zone Districts and she has been instrumental in keeping that process moving forward.

Kathy Ryan-Woodcock spoke to the Town Board explaining that it is the services that are being retained, not the person.

Colleen Flack spoke to the Board reminding them of the businesses that are moving into Town and that it would only delay the process if the Town does not have a Planner.

Trustee Beck moved to approve the contract with Tetra Tech to utilize the planning services of Anne Johnson and authorize the Mayor to sign. Mayor Pro Tem Measner Seconded.

Trustee Jemiola amended the motion to include the retention of a Planning Firm if a candidate is not obtained within 7 weeks if we do not have a candidate. Trustee Kidd seconded.

All In Favor:

Vote: Trustee's Onorato, Beck and Mayor Pro Tem Measner, in favor.  
Trustee Ehrlich and Kidd opposed.

#### **DISCUSSION AGENDA**

There were not any items.

## INFORMATIONAL AGENDA

### 1. Colorado Department of Health and Environment Letter Update

Interim Town Administrator Powell gave an update on the letter sent by the Department of Public Health and Environment. One of the conditions in the compliance letter was for the Town to retain the services of a qualified individual to perform an evaluation on the Town's Reverse Osmosis Plant. The Town obtained three (3) bids and the services have been awarded to Frchetti Engineering to conduct a one time required evaluation. The bid was under the threshold amount for the Town Board to approve at the amount of \$9.829 and the retention of this firm was required by the State to take place by August 29, 2014. The outcome of the inspection will be sent to the State along with any corrective action that needs to take place by the Town.

### 2. Martinez/Hahn Property

Town Attorney Fickel gave an update on the Martinez/Hahn property regarding the trail area.

### 3. Mercer Group Update

Mayor Tokunaga gave an update on the Mercer group and the applications for Town Administrator. Mayor Tokunaga explained that there have been many applications received and that the Mercer Group is in the process of narrowing down the applications. A flash drive will be sent with approximately 12-15 resumes for the Town Board to review. Mr. Robertson with the Mercer Group will come to Milliken to help the Town Board refine these applications even further.

## ASSIGNMENT AND PROJECT UPDATE(S)

### 1. Financial Policy Conflict of Interest Section

Trustee Jemiola informed the Town Board that the Legislative Committee that consisted of himself, Trustee Kidd, Finance Director Murphy and Interim Town Administrator Powell met and discussed the draft language for Section 2.1 "Conflict of Interest" section of the Financial Policies. Town Attorney Fickel will review the draft revisions and they will be presented to the Town Board at their September 10, 2014 meeting.

### Other Business

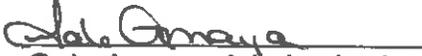
**Summary of Meeting (Review of Action Items, Staff Assignments & Schedule)**

**Adjournment**

Hearing no further business, the Mayor adjourned the meeting at 8:13 P.M.

Prepared by:

Approved by:

  
Gale Amaya, Admin. Assistant

  
Milt Tokunaga, Mayor